

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF RHODE ISLAND**

ROBERT VANGEL a/k/a)
WEYES INTELEKT REBEL-I ALLAH,)
Plaintiff,)
vs.)
RHODE ISLAND DEPARTMENT)
OF CORRECTIONS, ASHBEL T.)
WALL II, AL LEACH, LINDA AUL,)
and WILLIAM BEGONES,)
Defendants.)
C.A. No. 15-43-M-PAS

DEON LETOURNEAU a/k/a)
SHABAZZ BE ALLAH,)
Plaintiff,)
vs.)
RHODE ISLAND DEPARTMENT)
OF CORRECTIONS, ASHBEL T.)
WALL II, LINDA AUL, WILLIAM)
BEGONES, ROBERT SAYLES, JR.,)
And BRIAN DUARAY,)
Defendants.)
)

**DEFENDANTS' INFORMATIONAL FILING RELATING
TO THE IMPLEMENTATION OF TERM SHEET**

On June 2, 2017, Magistrate Judge Patricia A. Sullivan heard oral argument on Plaintiffs' motions to vacate judgment pursuant to Rule 60(b) of the Federal Rules of Civil Procedure. Pertinent to the instant filing, following the June 2nd hearing, Magistrate Judge Sullivan issued the following Text Order:

Defendants are directed to file by June 16, 2017, a statement of clarification that generally advises the Court regarding the plan for implementation of the Term Sheet, in light of its clear intent to be applicable to all adherents to the NOGE belief system so that each may be aware of the elements of practice permissible in light of the Term Sheet. This Order is not intended to interfere with the discretion of Defendant Department of Corrections to develop appropriate procedures for implementation of the Term Sheet. Wolff v. McDonnell, 418 U.S. 539, 569 (1974).

In response to the Text Order, the Department of Corrections (“DOC”) hereby provides the following general guideline it intends to take to implement the Term Sheet. DOC explicitly states the following is being provided for informational purposes only and does not intend the terms to be considered a contract between the parties or an addendum to the Term Sheet. The below terms may change at any time at the discretion of the DOC.

- On June 12, 2017, the undersigned along with DOC Legal Counsel Michael Grant introduced the Plaintiffs to Ken Findlay, the designee responsible for implementing DOC policy regarding Religious Programs. During this meeting, we discussed expectations prior to the June 13th Honor Day and explained that any concerns regarding observances of NOGE practices should be directed to Mr. Findlay.
- The terms of the settlement have been communicated to the DOC correctional staff at each facility as well of the Chief of the Special Investigations Unit.
- DOC will modify its database known as “INFACTS” to allow a person to designate NOGE as his/her religion.
- In accordance with current practices for other religions at DOC, before each Honor Day, DOC will post notice to institutional chaplains, facility administrators, food service providers and in designated areas in each facility informing staff and inmates of the upcoming holiday.

- DOC Policy No. 26.01-3 regarding “Religious Programs” applies to NOGE adherents. A copy of the policy is being provided as an exhibit to this filing. As described above, Ken Findlay is the designee responsible for implementing this policy and he was personally introduced to Plaintiffs.
- When supervised by an acceptable outside volunteer located and identified by the Plaintiffs or someone other than the Plaintiffs and approved by the DOC, NOGE adherents can engage in collective observant activities such as congregate services. DOC shall have no obligation to locate, identify or obtain volunteers. This is consistent with DOC policy and practice with other religions.
- NOGE adherents may obtain and possess written materials concerning the NOGE including the Supreme Mathematics, the Supreme Alphabet and the 120 Lessons, in their cells or when attending congregate services. NOGE members are responsible for ordering and paying for the publications. Although all NOGE publications are subject to DOC’s mail policy (as are all materials entering the prison via mail), the Supreme Mathematics, the Supreme Alphabet and the 120 Lessons shall not be denied by DOC to any NOGE adherent.
- For a two-month period, DOC staff, including Ken Findlay will meet monthly with Plaintiffs to address any specific concerns or issues relating to the implementation of the Term Sheet specific to them and to all adherents of the NOGE. The intent of this dialogue is to alleviate the need for further judicial involvement from this Court. Additional meetings will be scheduled if needed.

Respectfully submitted,

DEFENDANTS,

PETER F. KILMARTIN
ATTORNEY GENERAL

By their Attorney,

/s/ Thomas A. Palombo
/s/ Adam J. Sholes

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CERTIFICATE OF SERVICE

I hereby certify that I filed the within document via the ECF filing system and that a copy is available for viewing and downloading. I have also caused a copy to be sent via U.S. First Class mail to the following on this 16th day of June, 2017.

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